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California Rules of Court, rule 8.1115(a), prohibits courts and parties from citing or relying on opinions not certified for publication or ordered published, except as specified by rule 8.1115(b). This opinion has not been certified for publication or ordered published for purposes of rule 8.111.5.

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT  
DIVISION SIX

THE PEOPLE,

Plaintiff and Respondent,

v.

CURTIS JAMES HERNANDEZ,

Defendant and Appellant.

2d Crim. No. B207813  
(Super. Ct. No. SA064144)  
(Los Angeles County)

Curtis James Hernandez appeals from the judgment after the trial court found him guilty of second degree robbery of a Subway restaurant. (Pen Code, § 211.)<sup>1</sup> The trial court found that appellant had suffered two prior felony convictions within the meaning of the Three Strikes Law (§§ 667, subds. (b)-(i); 1170.12, subds. (a)-(d)), and granted the prosecution's motion to strike one of the prior strike enhancements. The trial court also found that appellant had suffered two serious felony convictions (§ 667. subd. (a)(1)) and four prior prison terms within the meaning of section 667.5, subdivision (b). At the sentencing hearing, the trial court struck the prior prison term enhancements and sentenced appellant to 20 years state prison. Appellant was ordered to a \$200 restitution fine (§ 1202.4, subd. (b)), a \$200

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<sup>1</sup> Unless otherwise stated, all statutory references are to the Penal Code.

parole revocation fine (§ 1202.45), \$150 victim restitution (§ 1202. 4, subd. (f)), and a \$20 court security fee (§ 1465.8).

We appointed counsel to represent appellant in this appeal. After examination of the record, counsel filed an opening brief in which no issues were raised.

On October 3, 2008, we advised appellant that he had 30 days within which to personally submit any contentions or issues he wished us to consider. No response has been received.

We have examined the entire record and are satisfied that appellant's appointed counsel has fully complied with her responsibilities and that no arguable issues exist. (*People v. Kelly* (2006) 40 Cal.4th 106, 124; *People v. Wende* (1979) 25 Cal.3d 436, 441.)

The judgment is affirmed.

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YEGAN, J.

We concur:

GILBERT, P.J.

PERREN, J.

Robert P. O'Neill, Judge

Superior Court County of Los Angeles

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Athena Shudde, under appointment by the Court of Appeal, for Defendant  
and Appellant.

No appearance for Respondent.